

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES <i>vs.</i> JAMES DEWAYNE KERR, Defendant.	<i>For U. S.:</i> Nathan G. Graham U.S. Attorney <i>For Defendant:</i> George Briggs(Ret.) 67--Arcade-Bldg. Tulsa,--Ok--- 205 Triangle Bldg. Pawhuska, Okla. 74056

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed <i>12-1-74</i>	Clerk					
J.S. 3 mailed <i>3-1-75</i>	Marshal					
Violation Misrep. in acquisition of firearm Title 18	Docket fee					
Sec. 922(a)(6)						
(1 ct., \$5,000 &/or 5 yrs)						

DATE	PROCEEDINGS
11-26-74	Record of Grand Jurors Concurring, filed in Open Court. v
11-26-74	Indictment, filed in Open Court. v
11-26-74	Warrant issued. v
12-3-74	Case set for arraignment & plea on 12-10-74, at 10:00 A.M.(AEB-J)b nts. mld.
12-3-74	Petition for W/Habeas corpus ad prosequendum, filed. g
12-4-74	Order granting W/HC ad prosequendum, filed. (AEB-J)g W/issued.
12-10-74	Case called for arraignment & plea. Deft. present & represented. Govt. represented. Deft. acknowledges receipt of indictment and advised of charge. Deft. arraigned and enters plea of NOT GUILTY. Deft. given 10 days to file motions & case to be set for jury trial on next jury docket. Deft. remanded to custody of USM.(AEB-J)b
12-19-74	WHCAP, returned & filed; deft. Kerr delivered to USDC and returned to Tulsa County Jail on 12-10-74. g
1-8-75	Case set for jury trial 1-27-75 at 9:30 a.m. (AEB-J)hm
1-16-75	Petition for Writ of Habeas Corpus Ad Prosequendum, filed. 1m
1-16-75	Order, filed, granting WHCAP. (AEB-J)g Writ issued. g
1-27-75	Case transferred to Judge H. Dale Cook. (AEB-J)hm
1-27-75	Case called for jury trial. Govt. represented; deft. present &

DATE	PROCEEDINGS
1-28-75	<p>represented. At govt's request, jury trial passed to 1-28-75 at 10:00 a.m. (HDC-J)hm</p> <p>Case called for jury trial. Govt. represented; deft. present and represented. Jury trial passed to 1-30-75 at 9:30 a.m. (HDC-J)hm</p>
1-30-75	<p>Case tried to a jury. Deft. present and represented; govt. represented. Parties announce ready. Jury empaneled and admonished. Rule invoked. Pltf. makes opening statement. Deft. defers same until close of pltf's case. Pltf. presents case in chief w/test. of witnesses. Pltf's exhibits 1 thru 4 admitted. Pltf. rests. Deft's motion for dismissal denied. Deft. presents case in chief w/test. of witness and rests. Parties rest. Closing arguments made. Court instructs the jury. Bailiff sworn. (4:08) Jury retires to deliberate. Deft's renewed motion to dismiss overruled. Jury returns w/verdict at 4:52 p.m. finding the deft. GUILTY, and is discharged. Sentence set 2-18-75 at 10:00 a.m. & deft. remanded to custody of U.S. Marshal. Court allows a copy of pltf's exhibit #1 to be substituted for original. (HDC-J)hm</p>
1-30-75	<p>Instructions to the Jury, filed. hm (in open court).</p>
1-30-75	<p>Verdict, filed in open court, finding deft. guilty. hm</p>
1-30-75	<p>Trial exhibits, filed. hm</p>
2-18-75	<p>Case called for sentence. Deft. present and represented; govt. represented. Deft. & counsel asked if they have anything to say before sentence is pronounced. Court finds deft. would not benefit from YCA.</p>
	<p>Judgment and Sentence - James Dewayne Kerr (Age 24)</p>
	<p>Atty. Gen. - Three (3) Years</p>
	<p>Imposition of sentence is hereby suspended and the deft. is placed on probation for a period of Four (4) Years, to begin at the expiration of and run consecutive to the sentence the deft. is now serving in Oklahoma State Penitentiary at Stringtown, Okla.</p>
	<p>A special condition of probation is that the deft. neither own, nor possess, nor handle guns of any kind during this term of probation. Deft. advised of right to appeal. Deft. remanded to custody of U.S. Marshal. (HDC-J)hm</p>
2-18-75	<p>Judgment and Probation order, filed and entered. (HDC-J)hm</p>
2-18-75	<p>Two c/c of J&PO delivered to U.S. Prob. office.</p>
2-28-75	<p>Writ of habeas corpus ad prosequendum, filed. lm</p>
3-19-75	<p>Warrant for Arrest, ret. & filed unexecuted. g</p>
11-16-79	<p>REPORT and ORDER terminating probation prior to orig. expiration date. (HDC-J)rm 2 cc Prob.</p>